

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

**FIRST SET OF INFORMATION REQUESTS**

RNK, INC. d/b/a RNK Telecom

D.T.E. 06-52

Pursuant to 220 C.M.R. 1.06(6)(c), the Department of Telecommunications and Energy ("Department") submits to RNK, INC. d/b/a RNK Telecom ("RNK" or "Company") the following Information Requests.

**Instructions**

The following instructions apply to this set of Information Requests and all subsequent Information Requests issued by the Department to the Company in this proceeding.

1. Each request should be answered in writing on a separate three-hole punched page with a recitation of the request, a reference to the request number, the docket number of the case and the name of the person responsible for the answer.
2. Please do not wait for all answers to be completed before supplying answers. Provide the answers as they are completed.
3. These requests shall be deemed continuing so as to require further supplemental responses if the Company or its witness receives or generates additional information within the scope of these requests between the time of the original response and the close of the record in this proceeding.
4. The term "provide complete and detailed documentation" means:  
  
Provide all data, assumptions and calculations relied upon. Provide the source of and basis for all data and assumptions employed. Include all studies, reports and planning documents from which data, estimates or assumptions were drawn and support for how the data or assumptions were used in developing the projections or estimates. Provide and explain all supporting workpapers.
5. The term "document" is used in its broadest sense and includes, without limitation, writings, drawings, graphs, charts, photographs, microfilm, microfiche, audio recordings, video recordings, computer printouts, correspondence, handwritten notes, records or reports, bills, checks, articles from journals, electronic mail or other sources and other data compilations from which information can be obtained and all copies of such documents that bear notations or other markings that differentiate such copies from the original.

6. The term “RNK” means the Complainant in this matter: RNK, Inc. d/b/a RNK Telecom.
7. The term “Verizon” means the Defendant in this matter: Verizon New England, Inc. d/b/a Verizon Massachusetts.
8. The term “TIAC” means The Internet Access Company, Inc.
9. The term “CSP” means Customer Specific Pricing contract.
10. If the Company finds that any one of these requests is ambiguous, please notify the Hearing Officer so that the request may be clarified prior to the preparation of a written response.
11. If a question refers to an Information Request of another party, please provide that response and answer with information that supplements the previous response.
12. Please serve a copy of the responses as follows: (a) an original and four (4) copies to Mary Cottrell, Secretary of the Department; and (b) one (1) copy of all written documents in electronic format using one of the following methods: (1) by electronic mail attachment to [berhane.adhanom@state.ma.us](mailto:berhane.adhanom@state.ma.us), [paula.foley@state.ma.us](mailto:paula.foley@state.ma.us), [michael.isenberg@state.ma.us](mailto:michael.isenberg@state.ma.us), [john.j.keene@state.ma.us](mailto:john.j.keene@state.ma.us), and [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us); or (2) on a 3.5" disk, IBM-compatible format. The subject line or text of the e-mail or the disk label must specify: (1) the docket number of the proceeding (D.T.E. 06-52), (2) name of the person or company submitting the filing, and (3) a brief descriptive title of the document (e.g., Response to Information Requests). The electronic filing should also include the name, title and phone number of a person to contact in the event of questions about the filing. Text responses should be created in either Corel WordPerfect, Microsoft Word, or as an Adobe-compatible PDF file. Data or spreadsheet responses should be compatible with Microsoft Excel. Documents submitted in electronic format will be posted on the Department’s Website, <http://www.mass.gov/dte>.
13. If the Company seeks confidential treatment, pursuant to G.L. c. 25, § 5D, of any response or portion thereof, the Company must submit redacted copies for the public docket in accordance with paragraph 12 above. In addition, the Company must submit (a) an original and four unredacted (4) copies to the Hearing Officer accompanied by a written motion explaining the reasons confidential treatment should be granted.

**Information Requests**

- DTE 1-1      Please identify each of the telecommunications services provided by RNK to TIAC. Please include in your answer the type of service provided, the source of the service (*i.e.*, resold or provided directly), and a brief summary of the functionality each service provides to the end-user (*i.e.*, what it does). Also, please specify the date(s) that RNK began providing each service to TIAC, and if RNK no longer provides the service, the date RNK ceased to provide the service.
- DTE 1-2      Refer to paragraph 12 of the Complaint in which you state that RNK began “placing orders” on or about January 8, 1998 and paragraph 15 in which you state that the orders were processed in January 1998. Please confirm the dates the orders were placed and processed and the transfer of services completed.
- DTE 1-3      Refer to the introductory paragraph of the Complaint alleging Verizon’s failure to apply the wholesale discount and paragraph 22 in which you note that Verizon “continues to demand payment for the services.” Is the failure that you allege ongoing (*i.e.*, does Verizon continue to bill and demand payment at the retail rate)? Is TIAC still a resale customer of RNK? If so, please explain whether disputed charges are continuing to accrue.
- DTE 1-4      Refer to paragraph 12 of the Complaint, which indicates that the original orders were placed and this dispute began in 1998. Please explain why RNK did not file this complaint earlier.
- DTE 1-5      Refer to paragraph 12 of the Complaint. Please provide any information you have to support the statement that the services were originally ordered pursuant to Tariff No. 10 and/or No. 12.
- DTE 1-6      Refer to paragraph 13 of the Complaint in which you allege that Verizon billed only some of the resold telecommunications services at the wholesale discount and billed others with no discount. Please identify which services, listed in your response to DTE 1-1, you believe were billed correctly and which services were “overbilled.” In your answer, please identify the rate at which each of the services were charged by Verizon. If applicable, please identify the specific tariff that applies to each service and provide a copy of the applicable sections of the tariff.

- DTE 1-7 Refer to paragraph 13 of the Complaint in which you allege that “for a period [of time], in some cases lasting up to 60 months,” Verizon billed some of the resold telecommunications services at the wholesale discount. What happened after this “period [of time].” Were the services discontinued after that period? Did Verizon bill the services at another rate? Please explain.
- DTE 1-8 Refer to paragraphs 12, 16 and 17 of the Complaint and Verizon’s Answer at 1. In paragraph 12, RNK states that it began “*placing orders* to acquire service ordered on a retail basis by [TIAC]”(emphasis added) and that these orders “*transferred* from Verizon to RNK, these telecommunications services.” Later in paragraphs 16 and 17, RNK refers to Verizon’s “contract assignment and/or assumption” policies and practices and in its Answer, Verizon alleges that RNK *assumed* contracts. Please explain in detail the process by which RNK acquired TIAC as a customer (*i.e.*, how the services were ordered and transferred). Please provide copies of all other related documents, including but not limited to service contracts, order forms, agreements, and correspondence.
- DTE 1-9 Refer to Verizon’s Answer. Please respond to Verizon’s claim that RNK was assigned or assumed the contract(s).
- DTE 1-10 Please refer to paragraph 12 of the Complaint in which RNK alleges that the telecommunications services originally order by TIAC pursuant to Verizon’s Massachusetts Tariff No. 10 and/or No. 12 and Paragraphs 12 and 13 of Verizon’s Answer in which Verizon denies this and claims that the services are special assemblies provided pursuant to three contracts. Please explain whether or not these services were provided under contract. If so, please provide copies of those contracts and explain how this is consistent with the assertion that these services were provided pursuant to tariff.
- DTE 1-11 Refer to paragraph 15 of the Complaint in which you reference dispute resolution and escalation procedures detailed in the parties’ agreements. Please identify the applicable sections of these agreements. Please provide copies of these agreements if they have not already been provided in this docket. Also, please provide copies of all documents evidencing RNK’s attempts to resolve this dispute and Verizon’s responses thereto.
- DTE 1-12 Refer to paragraph 16 of the Complaint. Please provide documentation to support your claims.

- DTE 1-13 Refer to paragraph 16 and 17 of the Complaint, in which RNK makes reference to Verizon's "contract assignment policy." To your knowledge, did Verizon have a "contract assignment policy" in January 1998 when the orders were placed? If so, please explain your understanding of that policy. Please provide any documents describing that policy.
- DTE 1-14 Refer to paragraph 22 of the Complaint. RNK states that the amount of \$208,279.26 represents the difference between the retail price of the services and the price of the services after taking the wholesale discount. Please provide a breakdown of the difference on a monthly basis. Please provide complete and detailed documentation of this amount including any and all bills or invoices evidencing this amount as well as any and all calculations used to derive this amount. If charges for services are continuing to accrue, please include updated figures for charges accrued since the Complaint was filed.
- DTE 1-15 Refer to paragraph 19 of the Complaint. RNK claims that Verizon agreed to credit RNK and took steps to determine the proper amount of credit to RNK's account. Please provide copy of all correspondence between RNK and Verizon regarding crediting RNK's account.
- DTE 1-16 Refer to paragraph 29 of the Complaint. RNK claims that competing CLECs receive the proper discount for similar services from Verizon. Please provide information to substantiate your claim.
- DTE 1-17 Refer to paragraph 31 of the Complaint. Please provide copies of the paper and electronic orders submitted to Verizon in January-February 1998. In addition, please provide documentation to support the other claims in paragraph 31 (e.g., that Verizon staff espoused a "fresh look" policy).
- DTE 1-18 Refer to paragraph 39 of the Complaint in which you state that special assemblies are subject to Verizon's General Tariff. Please reconcile this statement with Verizon's claim that the special assemblies were untariffed.
- DTE 1-20 Refer to paragraph 46 of the Complaint. Please provide a citation to the statement quoted.
- DTE 1-21 Refer to paragraph 66 of the Complaint. Please provide documentation to support your claim that Verizon had a "fresh look" policy in effect.

- DTE 1-22      Please provide copies of all interconnection agreements between RNK and Verizon, in effect at any time, from 1998 to the present.
- DTE 1-23      Please state if RNK is aware of any contract for special assemblies that have been filed with the Department as CSPs. If so please identify the contract by the date and parties to the contract. Also, please provide a copy of any such contract.

Date: September 25, 2006